

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

Miguel Espaillat,	:
	:
Plaintiff,	:
	:
v.	: File No. 2:04 CV 308
	:
United States Marshal's Service,	:
	:
Defendant.	:

ORDER

The Report and Recommendation of the United States Magistrate Judge was filed June 24, 2005. After careful review of the file and the Magistrate Judge's Report and Recommendation, no objections having been filed by any party, this Court ADOPTS the Magistrate Judge's recommendations in full for the reasons stated in the Report.

The defendant's motion to dismiss is GRANTED and the case is DISMISSED for lack of subject matter jurisdiction

Dated at Burlington, in the District of Vermont, this  
16th day of August, 2005.

/s/ William K. Sessions III  
William K. Sessions III  
Chief Judge